

Senate Engrossed House Bill

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

**FILED**  
**JANICE K. BREWER**  
**SECRETARY OF STATE**

CHAPTER 123

# HOUSE BILL 2345

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-413; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 4, article 1, Arizona Revised Statutes,  
3 is amended by adding section 36-413, to read:

4 36-413. Nutrition and feeding assistants; training programs;  
5 regulation; civil penalty; definition

6 A. THE DEPARTMENT MAY ADOPT RULES TO PRESCRIBE MINIMUM STANDARDS FOR  
7 TRAINING PROGRAMS FOR NUTRITION AND FEEDING ASSISTANTS IN LICENSED SKILLED  
8 NURSING FACILITIES, INCLUDING INSTRUCTOR QUALIFICATIONS, AND MAY GRANT, DENY,  
9 SUSPEND AND REVOKE APPROVAL OF ANY TRAINING PROGRAM THAT VIOLATES THESE  
10 STANDARDS. THESE STANDARDS MUST INCLUDE:

- 11 1. SCREENING REQUIREMENTS.
- 12 2. INITIAL QUALIFICATIONS.
- 13 3. CONTINUING EDUCATION REQUIREMENTS.
- 14 4. TESTING REQUIREMENTS TO ASSURE COMPETENCY.
- 15 5. SUPERVISION REQUIREMENTS.
- 16 6. REQUIREMENTS FOR ADDITIONAL TRAINING BASED ON PATIENT NEEDS.
- 17 7. MAINTENANCE OF RECORDS.
- 18 8. SPECIAL FEEDING REQUIREMENTS BASED ON LEVEL OF CARE.

19 B. PURSUANT TO SECTION 36-431.01, THE DEPARTMENT MAY IMPOSE A CIVIL  
20 PENALTY ON A TRAINING PROGRAM THAT VIOLATES STANDARDS ADOPTED BY THE  
21 DEPARTMENT.

22 C. IF THE DEPARTMENT ADOPTS STANDARDS FOR TRAINING PROGRAMS PURSUANT  
23 TO SUBSECTION A OF THIS SECTION, THE DEPARTMENT, AS PART OF ITS ROUTINE  
24 INSPECTION OF A HEALTH CARE FACILITY THAT PROVIDES A TRAINING PROGRAM, SHALL  
25 DETERMINE THE FACILITY'S COMPLIANCE WITH THESE STANDARDS.

26 D. FOR THE PURPOSES OF THIS SECTION, "NUTRITION AND FEEDING ASSISTANT"  
27 HAS THE SAME MEANING AS PAID FEEDING ASSISTANT AS DEFINED IN 42 CODE OF  
28 FEDERAL REGULATIONS PART 483 AND SECTION 488.301.

**APPROVED BY THE GOVERNOR APRIL 19, 2004.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.**